<center>**REMARKS**</center>

This is a full and timely response to the outstanding non-final Office Action mailed July 2, 2008. Upon entry of this response, claims 1 – 5, 7 – 22, and 24 – 34 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I.   Objections to the Drawings

The Office Action indicates that the drawings are objected to as failing to comply with 37 CFR 1.121(d) because the current drawings are not clear. Applicant amends the drawings to comply with the Office Action's request. Applicant submits that no new matter is added.

II.   Objections to Declaration

The Office Action argues that the declaration is defective because the declaration allegedly does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor of the subject matter is claimed and for which a patent is sought. Applicant respectfully traverses this allegation. More specifically, as previously argued by Applicant, the declaration states "I believe that I am the original and sole inventor of the subject matter which is claimed and for which a patent is sought…" (page 1, line 4). In a previous response, Applicant clearly illustrated that the term "original" means "first." The Office Action argues that "the applicant attempts to re-interpret rule 37 CFR 1.63(a)(4)" (OA page 9, element 28). Additionally, the Office Action, asserts that Applicant is interpreting this rule as requiring "original or first." Applicant respectfully traverses this assertion. More specifically, Applicant agrees that 37 CFR 1.63(a)(4) requires that that the declaration indicate that the inventor(s) believe he/she/they are the "original and first." However, Applicant asserts that by the inventor declaring that he is the "original and sole" inventor, this is equivalent to saying that he is the "first and original" inventor. First, Applicant refers to Exhibits A – E, from

the response filed March 11, 2008 (attached herein), which clearly indicate that "original" means "first." Second, by declaring that he is the "sole" inventor, the inventor is clearly declaring that there are no other inventors. If there are no other inventors to this invention, he <u>must</u> be the first inventor. Third, Applicant invites the examiner to explain the substantive differences between a declaration that indicates that an inventor is the "original and first" versus one that indicates that the inventor is the "original and sole." For at least these reasons, Applicant respectfully traverses this objection and submits that the declaration meets all the requirements of 35 C.F.R. §1.63.

III.   **Rejections Under 35 U.S.C. §102**

A.   **Claim 1 is Allowable Over *Silberschatz***

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Silberschatz, *et al.*, "Applied Operating System Concepts," First Edition, John Wiley &Sons, Inc., 2000; pages 36-37, 77-82, 95-113, 567-574, 706-708, 719-735, 751-758 ("*Silberschatz*"). Applicant respectfully traverses this rejection on the grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 1 recites:

A method for managing shared resources in a computer system, comprising:

establishing and registering a plurality of objects in response to requests from hardware or software associated with the computer system, the objects including at least one type, at least one attribute, and a handle;

establishing a plurality of message pool objects, wherein the plurality of message pool objects comprise pools of free messages that can be allocated;

manipulating the plurality of objects to effect processing and exchange of information;

receiving, at a message pool interface, a request by a first task object interface for a message allocation;

allocating a message from the free message pool to the first task object;

sending the message from the first task object interface to a second task object interface:

performing processing by the second task object in response the message receipt;

returning the message to the first task object interface upon completion of processing; and

returning the message from the first task object interface to the message pool interface.

(Emphasis added).

Applicant respectfully submits that claim 1 is allowable over the cited art for at least the reason that *Silberschatz* fails to disclose, teach, or suggest all of the claim elements. More specifically, the Office Action neglects to address one or more of the claim elements added from the previous response. Instead, the Office Action blocks all added elements into a single citation without explanation. While the Office Action elaborates on the rejection of two of those elements in the "Response to Arguments" section, Applicant respectfully submits that the Office Action fails to indicate how every element of claim 1 is disclosed or suggested in the reference, and has thus failed to establish a proper rejection under 35 U.S.C. §102(b). Accordingly, any subsequent Office Action, if necessary, must be non-final. Further, as illustrated below, not withstanding the deficient Office Action, *Silberschatz* fails to disclose, teach, or suggest all of the elements of claim 1.

The Office Action argues that "Silberschatz teaches in a shared mailbox/message pool object environment, return/reply messages are sent to the mailbox, however, when the

mailbox/message pool object is owned by a process, such as the first process P1, the return/reply messages to the mail box is also a return to the first process" (OA page 10, line 1). Applicant respectfully disagrees. More specifically, claim 1 recites "*returning the message to the first task object interface upon completion of processing*… [and] *returning the message from the first task object interface to the message pool interface.*" However, *Silberschatz* discloses:

> A mailbox may be owned either by a process or by the operating system. If the mailbox is owned by a process (that is, the mailbox is part of the address space of the process), then we distinguish between the owner (who can only receive messages through this mailbox) and the user (who can only send messages to the mailbox). Since each mailbox has a unique owner, there can be no confusion about who should receive a message sent to this mailbox. When a process that owns a mailbox terminates, the mailbox disappears. Any process that subsequently sends a message to this mailbox must be notified that the mailbox no longer exists.
> (Emphasis added).

As illustrated in this passage, *Silberschatz* appears to disclose that a process can either only receive messages or can only send messages. Consequently, *Silberschatz* cannot even suggest (and in fact, teaches away from) "*returning the message to the first task object interface upon completion of processing*" as recited in claim 1 for at least the reason that each process "can only receive messages" or "can only send messages."

Additionally, Office Action suggests that *Silberschatz* discloses "*returning the message from the first task object interface to the message pool interface*" because *Silberschatz* allegedly discloses return of a message when a process terminates. Again, Applicant disagrees. As illustrated in the cited passage above, if a process terminates, a sending process is notified that the mailbox no longer exists. However, there is no suggestion that the sent message is returned to the sending process. In fact, in light of the previous excerpt, which indicates that an owner process can only receive messages and that a user can only send messages, *Silberschatz* cannot even inherently disclose "*returning the message from the*

first task object interface to the message pool interface" as recited in claim 1. For at least

these reasons, the rejection is improper and claim 1 is allowable in view of the cited art.

B.   Claim 18 is Allowable Over *Silberschatz*

The Office Action indicates that claim 18 stands rejected under 35 U.S.C. §102(b) as

allegedly being anticipated by Silberschatz, *et al.*, "Applied Operating System Concepts," First

Edition, John Wiley &Sons, Inc., 2000; pages 36 – 37, 77 – 82, 95 – 113, 567 – 574, 706 – 708,

719 – 735, 751 – 758 ("*Silberschatz*"). Applicant respectfully traverses this rejection on the

grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More

specifically, claim 18 recites:

> A computer-readable medium incorporating one or more instructions for managing shared resources in a computer system, comprising:
> one or more instructions for establishing and registering a plurality of objects in response to requests from hardware or software associated with the computer system, the objects including at least one type, at least one attribute, a handle;
> one or more instructions for establishing a plurality of message pool objects, wherein the plurality of message pool objects comprise pools of free messages that can be allocated; and
> one or more instructions for manipulating the plurality of objects to effect processing and exchange of information;
> one or more instructions for receiving, at a message pool interface, a request by a first task object interface for a message allocation;
> one or more instructions for allocating a message from the free message pool to the first task object;
> one or more instructions for sending the message from the first task object interface to a second task object interface;
> one or more instructions for performing processing by the second task object in response the message receipt;
> ***one or more instructions for returning the message to the first task object interface upon completion of processing***; and
> ***one or more instructions for returning the message from the first task object interface to the message pool interface***.
> ***(Emphasis added).***

Applicant respectfully submits that claim 18 is allowable over the cited art for at least the reason that *Silberschatz* fails to disclose, teach, or suggest all of the claim elements. More specifically, the Office Action neglects to address one or more of the claim elements added from the previous response. Instead, the Office Action blocks all added elements into a single citation without explanation. While the Office Action elaborates on the rejection of two of those elements in the "Response to Arguments" section, Applicant respectfully submits that the Office Action fails to indicate how every element of claim 18 is disclosed or suggested in the reference, and has thus failed to establish a proper rejection under 35 U.S.C. §102(b). Accordingly, any subsequent Office Action, if necessary, must be non-final. Further, as illustrated below, not withstanding the deficient Office Action, *Silberschatz* fails to disclose, teach, or suggest all of the elements of claim 18.

The Office Action argues that "Silberschatz teaches in a shared mailbox/message pool object environment, return/reply messages are sent to the mailbox, however, when the mailbox/message pool object is owned by a process, such as the first process P1, the return/reply messages to the mail box is also a return to the first process" (OA page 10, line 1). Applicant respectfully disagrees. More specifically, claim 18 recites "***one or more instructions for returning the message to the first task object interface upon completion of processing…*** [and] ***one or more instructions for returning the message from the first task object interface to the message pool interface***." However, *Silberschatz* discloses:

> A mailbox may be owned either by a process or by the operating system. If the mailbox is owned by a process (that is, the mailbox is part of the address space of the process), then we distinguish between the owner (who can only receive messages through this mailbox) and the user of the mailbox (who can only send messages to the mailbox). Since each mailbox has a unique owner, there can be no confusion about who should receive a message sent to this mailbox. When a process that owns a mailbox terminates, the mailbox disappears. Any process that subsequently sends a message to this mailbox must be notified that the mailbox no longer exists.

(Emphasis added).

As illustrated in this passage, *Silberschatz* appears to disclose that a process can either only receive messages <u>or</u> can only send messages. Consequently, *Silberschatz* <u>cannot</u> even suggest (and in fact, teaches away from) "***one or more instructions for returning the message to the first task object interface upon completion of processing***" as recited in claim 18 for at least the reason that each process "can only receive messages" or "can only send messages."

Additionally, Office Action suggests that *Silberschatz* discloses "***one or more instructions for returning the message from the first task object interface to the message pool interface***" because *Silberschatz* allegedly discloses return of a message when a process terminates. Again, Applicant disagrees. As illustrated in the cited passage above, if a process terminates, a sending process is notified that the mailbox no longer exists. However, there is no suggestion that the sent message is returned to the sending process. In fact, in light of the previous excerpt, which indicates that an owner process can only receive messages and that a user can only send messages, *Silberschatz* cannot even inherently disclose "***one or more instructions for returning the message from the first task object interface to the message pool interface***" as recited in claim 18. For at least these reasons, the rejection is improper and claim 18 is allowable in view of the cited art.

C.   <u>Claims 2 – 5, 7 – 12, 16 – 17, 18 – 22, 24 – 29, and 33 – 34 are Allowable Over *Silberschatz*</u>

The Office Action indicates that claims 2 – 5, 7 – 12, 16 – 17, 18 – 22, 24 – 29, and 33 – 34 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Silberschatz, *et al.*, "Applied Operating System Concepts," First Edition, John Wiley &Sons, Inc., 2000; pages 36 – 37, 77 – 82, 95 – 113, 567 – 574, 706 – 708, 719 – 735, 751 – 758 ("*Silberschatz*"). Applicant respectfully traverses this rejection on the grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 2 – 5, 7 – 12, and 16

– 17 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 18 – 22, 24 – 29, and 33 – 34 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 18. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

IV.   Rejections Under 35 U.S.C. §103 – Claims 13 – 15 and 30 – 32 are Allowable Over *Silberschatz* in view of *Jaworski*

The Office Action indicates that claims 13 – 15 and 30 – 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Silberschatz, *et al.*, "Applied Operating System Concepts," First Edition, John Wiley &Sons, Inc., 2000; pages 36 – 37, 77 – 82, 95 – 113, 567 – 574, 706 – 708, 719 – 735, 751 – 758 ("*Silberschatz*") in view of Jamie Jaworski, "JAVA 1.1 Developer's Guide," Second Edition, Sams.net Publishing, 1997: pages 90 – 96 ("*Jaworski*"). Applicant respectfully traverses this rejection for at least the reason that *Silberschatz* in view of *Jaworski* fails to disclose, teach, or suggest all of the elements of claim 13 – 15 and 30 – 32. More specifically, dependent claims 13 – 15 are believed to be allowable over *Silberschatz* for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 30 – 32 are believed to be allowable over *Silberschatz* for at least the reason that they depend from allowable independent claim 18. Because *Jaworski* fails to overcome the deficiencies of *Silberschatz*, claims 13 – 15 and 30 – 32 are allowable as a matter of law. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/afb/
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